GOVERNMENT OF INDIA
HOME AFFAIRS
LOK SABHA

STARRED QUESTION NO:237
ANSWERED ON:01.08.2017
Filing of FIRs
Raj Dr. Udit

Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether it is a fact that women and people belonging to the weaker sections in the country do not file First Information Reports (FIRs) due to the behaviour of the police and if so, the details thereof;

(b) whether the Government is contemplating to take any steps in this regard;

(c) if so, the details thereof and the time by which such steps are likely to be taken; and

(d) if not, the reasons therefor?

Answer

MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS
(SHRI HANSRAJ GANGARAM AHIR)

(a) to (d): A Statement is laid on the table of the House.

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STATEMENT REFERRED IN REPLY TO LOK SABHA STARRED QUESTION NO. *237 FOR 01.08.2017

(a): Crime-head-wise cases registered under Crime against Women and persons belonging to Scheduled Castes (SCs), Scheduled Tribes (STs) is enclosed as Annexure-I & II respectively.
The Union Government, attaches highest importance on the matter of Non-Registration of FIR and therefore a new Section 166A has been inserted in Indian Penal Code (IPC), wherein a public servant, who fail to record any information given to him under section 326A, section 326B , section 354, section 354B, section 370, section 370A, section 376, section 376A, section 376B, section 376C, section 376D, section 376E or section 509 shall be punished with rigorous imprisonment for a term, which shall not be less than six months but which may extend to two years and shall also be liable to fine.

(b) to (d): 'Police' and 'Public Order' are State subjects under the Seventh Schedule to the Constitution of India. The responsibilities to maintain law and order, protection of life and property of the citizens rest primarily with the respective State Governments. The State Governments are competent to deal with such offences under the extant provisions of laws. Ministry of Home Affairs has issued Advisory dated 5th February, 2014 to all States/UTs regarding "Compulsory registration of FIR u/s 154 Cr.P.C. when the information makes out a cognizable offence". Another Advisory on "No discrimination in compulsory registration of FIRs" was issued on 12th October, 2015. These Advisories are also available on www.mha.nic.in.

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